

Ordinance No. 26

AN ORDINANCE REGULATING AND LICENSING TRANSIENT MERCHANTS,
HAWKERS AND PEDDLERS AND PROVIDING A PENALTY FOR
VIOLATION THEREOF.

The village council of Shelly do ordain as follows:

Sec. 1. Definitions. The following terms are hereby defined as used in this ordinance:

(a) "Transient merchant". Any person who is engaged in selling any goods, wares, or merchandise, either as principal or agent from a stationary location in a building or upon a vacant lot which he occupies as a tenant at will, or under a lease for a shorter term than six months or from a railroad car, or from a truck, or from a vehicle stationarily located in the street is a transient merchant.

(b) "Hawker". Any person who shall sell any edible goods or products from a wagon, vehicle, or pack, going about from place to place carrying said goods or product for the purpose of sale and delivery, is a hawker.

(c) "Peddler". Any person who shall sell any non-edible goods or product from a wagon, vehicle, or pack, going about from place to place, carrying said goods or product for the purpose of sale and delivery is a peddler.

Sec. 2. License Required. It shall be unlawful for any transient merchant, hawker, or peddler to sell or offer for sale any goods, wares or merchandise or to do any business or attempt to do any business in this village without first having obtained from the village recorder a license to do so; but no resident of the village shall be required to obtain a license.

Sec. 3. Application for License. Before any license shall be issued to any person, firm, or corporation to vend, sell, hawk, or peddle goods under this ordinance, the person desiring said license shall file a written application therefor with the village recorder. Said application shall show: (1) The name of the applicant and of all persons associated with him in his business; (2) the type of business for which the license is desired; (3) the place where the business is to be carried on in

case of transient merchants; (4) the length of time for which said license is desired; (5) a general description of the thing or things to be sold; (6) the present place of business of the applicant; (7) the places of residence of the applicant for the five years just past. Blank applications shall be issued by the recorder on payment of \$1.00, which amount is credited on the license fee if the license is granted.

Sec. 4. License. Every application for license under this ordinance shall bear the written approval of the village marshal or president of the council after an investigation of the moral character of the applicant. When the applicant presents to the recorder an application in proper form for any business not prohibited by law and pays the proper fee hereinafter set forth said recorder shall issue to said applicant a license to conduct, pursue, or carry on the business for which said license was requested for the period requested.

Sec. 5. Licenses Prohibited. No licenses shall be issued to hawk or peddle meat; poultry; dry goods; cloth; clothing; furs; wearing apparel, old or new; umbrellas; eyeglasses; medicines; watches; jewelry; plated ware; or silver ware.

Sec. 6. License fees. Fees for licenses under this ordinance shall be as follows:

Transient Merchant, per day	\$ 5.00
Transient Merchant, per month	25.00
Transient Merchant, six months	75.00
Hawkers, on foot, per day	1.00
Hawkers, with push cart, per day	2.00
Hawkers, with wagon, per day	2.50
Hawkers, on foot, per year	10.00
Hawkers, with push cart, per year	15.00
Hawkers, with wagon, per year	25.00
Hawkers, with automobile, per year	50.00
Peddlers, on foot per day	2.50
Peddlers, with push cart, per day	5.00
Peddlers, with wagon, per day	7.50
Peddlers, with automobile, per day	10.00

Sec. 7. Duration of License. Each license shall be valid only for period specified therein and no license may extend beyond the 31st day of December of each year.

Sec. 8. License not Transferable. Licenses issued under this ordinance shall be non-transferable. No refunds shall be made on unused portions of licenses except upon resolution of the council. Each person engaged in the business of vending, hawking, or peddling goods must secure a separate license.

Sec. 9. License To Be carried. All licenses issued under this ordinance shall be carried by the licensees or conspicuously posted in his place of business and such licensee shall whenever requested show said license to any officer or citizen who demands to see the same.

Sec. 10. Practices Prohibited. No person, licensed under this ordinance shall call attention to his business or to his goods, wares, or merchandise, by crying them out, by blowing a horn, by ringing a bell, or by any loud or unusual noise.

Sec. 11. Revocation of Licenses. Licenses issued under this ordinance shall be revocable without notice, by the council whenever in their opinion the good order of the village requires it.

Sec. 12. Exemptions. This ordinance shall not be held to include the licensing of sales conducted pursuant to statute by order of any court, nor of any person conducting a bona fide auction sale, nor of persons selling personal property at wholesale to retail dealers, nor of milkmen, nor of icemen, nor of any farmer or truck gardener selling or offering the products of his own or any leased farm or stock, nor of any blind person who is a bona fide resident of Minnesota.

Sec. 13. Penalty. Any person who shall be convicted of violating the provisions of this ordinance shall be deemed guilty of a misdemeanor.

Passed the village council this 30th day of November, 1927.

(Seal)

Attest:

A. E. Silver
Recorder.

A. B. Anderson
President.